

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 446 be amended to read as follows:

- 1           Page 1, delete lines 1 through 8, begin a new paragraph and  
2       insert:  
3           "SECTION 1. IC 8-1.5-5-29 IS ADDED TO THE INDIANA  
4       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
5       [EFFECTIVE JULY 1, 2005]: **Sec. 29. (a) Subsections (c), (d), and**  
6       **(e) do not apply to a city that before January 1, 2005, adopted an**  
7       **ordinance establishing procedures for the collection of unpaid user**  
8       **fees under this chapter through the enforcement of a lien.**  
9           **(b) Fees assessed against real property under this chapter**  
10       **constitute a lien against the property assessed. The lien is superior**  
11       **to all other liens except tax liens. Except as provided in subsections**  
12       **(c) and (d), the lien attaches when notice of the lien is filed in the**  
13       **county recorder's office under section 30 of this chapter."**  
14           Page 1, line 9, delete "(b)" and insert "(c)".  
15           Page 2, line 2, delete "(c)" and insert "(d)".  
16           Page 2, line 8, delete "(d)" and insert "(e)".  
              (Reference is to SB 446 as printed February 11, 2005.)

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Senator GARD